

**IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF DELAWARE**

TIMOTHY CARSON, on behalf of himself and others similarly situated	)	
	)	
Plaintiff,	)	
	)	
v.	)	Civil Action No. 07-359-**
	)	
ASTRAZENECA PHARMACEUTICALS	)	FLSA Collective Action
LP,	)	
	)	
Defendant.	)	

**STIPULATION OF DISMISSAL OF ACTION WITH PREJUDICE**

Pursuant to Rule 41(a)(1) of the Federal Rules of Civil Procedure, Plaintiff Timothy Carson ("Plaintiff") and Defendant AstraZeneca LP, sued here as AstraZeneca Pharmaceuticals LP ("Defendant"), by and through their respective counsel of record, enter into the following stipulation:

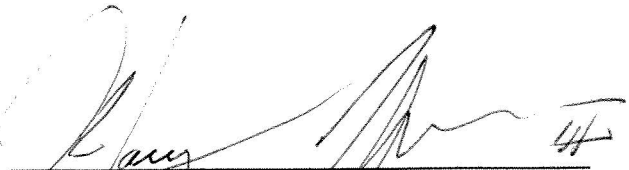
1. The above-captioned action is hereby dismissed with prejudice pursuant to Rule 41(a)(1) of the Federal Rules of Civil Procedure.
2. Plaintiff's counsel (herein defined as undersigned counsel below and Gillespie, Rozen, Watsky & Jones P.C.) are seeking a substitute plaintiff to refile this nationwide FLSA collective action against Defendant. Any refiling of the FLSA collective action against Defendant shall be in the District of Delaware. Defendant reserves all defenses in the event of a refiling of the FLSA collective action case.
3. Any refiled FLSA collective action filed by Plaintiff's counsel against Defendant will be litigated in accordance with the procedural structure and stages as set forth in the Court's Scheduling Order of September 12, 2007. This includes but is not limited to the deadline intervals between the parties' briefs and the duration of the opt-in period.

4. Each party will bear its own costs and attorney's fees, except that Plaintiff has agreed to reimburse travel costs (air fare and hotel expenses, including cancellation fees) incurred by AstraZeneca for the trip by two of Defendant's attorneys to Delaware for certain November 2007 depositions in this case that did not take place. The estimated cost is \$5,000, which will be itemized.

5. Plaintiff's counsel (or associated counsel) will be permitted to use the documents produced in this action in other misclassification actions against AstraZeneca, provided that they comply with the stipulated protective order in this action, and stipulated protective order(s) in any other misclassification actions against AstraZeneca. Defendant need not produce documents in other misclassification actions against AstraZeneca that were already produced in this action. The parties agree that the stipulated protective order in this action shall remain in effect.

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Dated: December 20, 2007



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Counsel for Defendant  
ASTRAZENECA LP

Dated: December 21, 2007

/s/ George R. Kingsley

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Counsel for Plaintiff  
TIMOTHY CARSON

**ORDER**

The parties having stipulated to the foregoing and good cause appearing, IT IS SO ORDERED.

Dated: \_\_\_\_\_

( \_\_\_\_\_ United States Magistrate Judge )